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## SULZER'S BREAK WITH "THE TIGER"

Deposed Governor Testifies Under Oath Regarding Tammany Leader's Threat Against Him

### REFUSED TO MAKE "BAGMAN" COMMISSIONER

Also Caused Canal Contract to be Held Up Because Lowest Bidder Was Not Getting a "Square Deal"—Had Conferences With Murphy and Tried to Get Along With Him But Would Not Violate His Oath of Office, He Says.

New York, Jan. 21.—William Sulzer testified under oath today that Charles F. Murphy, leader of Tammany Hall, threatened to wreck his administration as governor of New York if he didn't appoint James B. Gaffney commissioner of highways. He said he had declined to make the appointment after a conference in Washington with United States Senator James A. O'Gorman. The senator told him, he said, that Gaffney was Murphy's "chief bagman" and that Gaffney had attempted to hold up James O. Stewart, a state highway contractor and an ally of the senator for \$100,000, and that to appoint him would be a disgrace to the state of New York.

Sulzer explained that his first sworn statement, in which he had made against Murphy and in many particulars he elaborated them. Sulzer appeared as a witness in District Attorney Whitman's John Doe inquiry into state highway graft. He was called to explain why, as governor-elect, he had sent a telegram to the state canal board requesting to defer action in the matter of a \$3,000,000 canal contract upon which Stewart was lowest bidder. Stewart, who failed to get the contract, testified at a previous hearing that a man named Gaffney had asked him for a contribution of five per cent of the contract.

Told He Was "Butting In." Sulzer said today he had sent the telegram because he had been told by George H. McGuire of Syracuse that there was danger that Stewart's bid would be thrown out and that this would be a great injustice to Stewart and the state of New York. For having requested the canal board to defer action in the matter, Murphy summoned him, Sulzer said, and told him that he was "butting in" where he didn't belong, and that he was not beginning right as governor.

Boss Murphy's Threat. When Sulzer resented this and told the Tammany chief that he intended to be his own governor, he swore that Murphy replied: "Like hell you will. I'll see where you'll end up damned quick."

This interview, Sulzer indicated, marked his break with Murphy. Sulzer said that Senator O'Gorman, whose law partner, George Gordon Battle, took Stewart's case up with the canal board, consulted him upon having sent the telegram. He further testified that when he became governor he agreed with Attorney General Carmody, a member of the board, that Stewart ought to get the contract and had sought to "get him justice." The other members of the board, however, outvoted the attorney general six to one.

Has Nothing to Conceal. "I have no information that I care to conceal and I will answer any question you care to ask," said the former governor.

Mr. Whitman inquired about the telegram Sulzer sent to the canal board in December, 1912, asking it to defer action on the matter of awarding a contract to Stewart.

Sulzer said that shortly before he received a telegram from George H. McGuire, which stated that if Stewart's bid was rejected, it would be a great injustice to both Stewart and the people of the state, "as McGuire said that Stewart's bid was thousands of dollars lower than the others."

"I thought it was my duty," said the witness, "as governor-elect, to request the board to defer action."

He sent the telegram on December 19 and the next day, he said, John H. Delaney, now commissioner of the bureau of efficiency and economy at Albany, came to his house and said:

"He seemed very much perturbed," continued Sulzer. "He said 'My God, what have you done? You have spilled the beans. The chief is all worked up about it.' I said 'What have I done?' He said, 'You sent a telegram yesterday and it has angered the chief. I'm afraid it's between you and me. Now he wants to see you.'"

"I said, 'Why, John, that's the simplest thing in the world. I'll attend to this.' Then he looked at me very quizzically and wanted to know if Senator O'Gorman hadn't asked me to send this telegram."

Met Murphy at Delmonico's. Sulzer said that at Delaney's request he called up Murphy and the latter asked him to come to see him. He said he saw Murphy at Delmonico's that afternoon.

Mr. Murphy took me into a small room," said Sulzer, "and he said to me and I could see he was perturbed. He said 'Why did you send that telegram to the canal board?' I said 'That's very simple, and I showed him that telegram from McGuire.'"

"He said, 'You've made a great mistake. You don't want to butt into this.' Then he looked at me very quizzically and wanted to know if Senator O'Gorman hadn't asked me to send this telegram."

Advised to Keep His Hands Off. "I said no, I'd never seen O'Gorman. Then he said 'Keep your hands off. This is none of your business. This is no way to begin as governor.' He went on in that strain and I listened to him because it was the first I had seen of a working of invisible government. I told him I was going to be governor and that he better understand it. He said, 'Like hell you are.'"

Sulzer described a meeting with Murphy in New York on March 15 of that year when the Tammany leader attempted to induce him, he said, to make other appointments.

"Mr. Murphy was the boss," continued Sulzer, "and I was willing to go along with him. I was willing to do anything within reason, but I was not willing to violate my oath of office nor to shut my eyes to graft. When I told him this, Murphy always laughed at me."

"Graft, Graft Everywhere." Sulzer declared that when he began his investigations into various state departments after he became governor he was "tagged after the over-

## Cabled Paragraphs

Severe Penalties for Tango Dancing. Rome, Jan. 21.—All the bishops of Italy have forbidden the dancing of the tango and are establishing severe penalties for Catholics not complying with the order.

Eruption Changes Island's Face. Sydney, N. S. W., January 21.—The whole of Lymington Island in the New Hebrides group, was altered by the volcanic upheavals of last month, when it is estimated 600 natives perished.

Central American Conference. Tegucigalpa, Honduras, Jan. 2.—An effective programme tending toward the unification of the interests of the Central American republics was dealt with by the annual Central American conference, which met here on New Year's day under the terms of a treaty signed at Washington on Dec. 20, 1907.

Wife Murderer to Fight for His Life. Declares That His Confession Was Forced from Him.

Galesburg, Ills., Jan. 21.—Determination to fight for freedom, despite his confession of murdering his wife, was made today by Robert Higgins, in the jail at Alton, Ills.

"I am going to establish my innocence. My conscience is clear," he said. "I did not know there was a shell in the shotgun when I pulled the trigger. They can't prove who loaded it."

Higgins' attorneys are said to have advised their client to plead guilty and rest on the court's mercy, but after learning of Higgins' determination to fight the case they are considering an insanity plea.

Higgins' plot against the life of his wife was of long standing and was not encouraged or participated in by Julia Fluke, except under threats from him, relatives of Miss Fluke today produced letters from the girl showing her hate of her stepfather and disapproval of her mother's second marriage.

In a letter written January 10, 1912, to Mrs. Jennie Fluke, an aunt in Galesburg, Ills., Higgins wrote: "I won't kill him (Higgins) papa if they kill me to do it. Gee, I wish they would. I wish I could live with Uncle Charlie."

In another letter Julia wrote: Higgins says he would not get married if he had the chance. Ma said, 'Well, why didn't you wait and marry Julia then?' He said, 'Cause she wouldn't have me.'"

Julia Fluke's relatives are doing all they can to shield her. "Julia is not to blame for the murder," Higgins hypothesized, he said. "She was forced to write those letters and to enter into the conspiracy."

Backus Makes Arrest Single-Handed. Beardsley's so-called capture occurred at 4 o'clock this morning. He had been sleeping in the rooming house with his captor, Harry D. Backus. He wanted to defy Sheriff Anderson to the end, he said.

Backus drove to the house unaccompanied and called Beardsley to the window. He came, armed. He demanded at first, saying he feared the police would come, and then he grabbed him by the arm and told him there could be no backing down. Beardsley wilted. He allowed Backus to handcuff him and to take away his ammunition. Backus permitted Beardsley to carry the unloaded rifle until they reached Mayville. There Sheriff Anderson received Beardsley, a deputy took Beardsley to the jail.

Miners Denounce the American Federation. One Delegate Declares It Is "Rotten to the Core."

Indianapolis, Ind., Jan. 21.—Attacks on the American Federation of Labor cropped out in the convention of the United Mine Workers of America today in the debate on the resolution committee report late today. The speeches against the federation were started by a resolution of the United Mine Workers, during the discussion of a resolution regarding industrial unionism.

A number of resolutions dealing with industrial unionism many of them demanding a convention for April 1, 1915, to consider the subject, were submitted to the convention today. The committee opposed the calling of the convention and drafted a substitute resolution instructing the delegates to the American Federation of Labor to work for the passage of a resolution providing for industrial unionism rather than craft unionism.

"Anyone can get a progressive resolution through the A. F. of L.," declared McDonald, "he will deserve a monument for it. He will be as good as a man as Washington. That body is reactionary, fossilized, worm-eaten and dead." McDonald said he, as a delegate to the convention, refused to attend the Seattle convention of the federation and was almost thrown out for supporting a resolution favoring industrial unionism.

"The conditions in the A. F. of L. are about as bad as McDonald has said," said Frank Hatch, E. W. of the miners. "So far it has been impossible to get an industrial unionism resolution passed by that body. The time is coming when we will see that the industrial unionism lies the only hope of the labor movement in this country."

Thomas Kennedy, of Hazelton, Pa., declared that almost every delegate from the miners to the federation in recent years had been snubbed in the convention. "That organization is rotten to the core," he concluded.

A PLEA OF GUILTY. BY FLAGMAN MURRAY. Charged With Manslaughter in Connection With North Haven Wreck.

New Haven, Conn., Jan. 21.—Charles H. Murray of Holyoke, Mass., flagman of the ill-fated Bar Harbor express on the New York, New Haven and Hartford road, which was wrecked at North Haven last September, exacting a toll of 12 lives, pleaded guilty to manslaughter today in the federal court here.

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Remember Poor on Anniversary. New York, Jan. 21.—To celebrate her first wedding anniversary, Mrs. Philip J. Shepard, who was Miss Helen Miller, gave a party for the poor at 200 Bowery last night.

Fishing Schooners Frozen in Ice. Cutting, N. F., Jan. 21.—Three fishing schooners, loaded with frozen herring for American fishing ports, have been frozen in the Bay of Islands by ice from the Gulf of St. Lawrence and may not work free until spring.

Another Railroad Probe. Chicago, Jan. 21.—As broad an inquiry as any ever conducted by the Interstate Commerce Commission, was the way Commissioner Charles C. McAdams characterized an investigation into the relations of the railroads with special car lines, opened here today.

## Beardsley Now Behind the Bars

SUBMITS TO ARREST BY A HOTEL-KEEPER.

### PROTESTED AT FIRST

Yielded Quietly When He Discovered That His Captor Was Aggressive. Wounded Woman Taken to Hospital.

Mayville, N. Y., Jan. 21.—Edward Beardsley, the defiant outlaw of yesterday, is tonight a meek, mild-mannered little man behind the bars in the county jail here, and the farmhouse on the hill near Summerdale in which he held out for eight days against Sheriff Anderson and his deputies is untenanted.

Beardsley's capture, made by Charles D. Backus, a hotel man of Mayville, was a pre-arranged affair, and although Beardsley demurred against surrender at the last moment, he submitted quietly when Backus made the first aggressive move toward him.

Children Taken to Hotel. Beardsley will be arraigned tomorrow or Saturday on a charge of assault with intent to kill, lodged against him by Sheriff Anderson, who notified John G. W. Putnam, the victim of the shooting affray which produced the week of siege and parley, is reported to be recovering and it is unlikely that Beardsley will be compelled to face a more serious charge.

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"But we are not forgetting that bullets are necessary. The fighting will continue."

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## Public Opinion Against Huerta

WILL SOON SWEEP HIM AWAY, SAYS VILLA.

### ASSAULT ON TORREON

Villa Declares He Will Have Force of 15,000 and Federals Won't Last Long—Another Resignation Rumor.

Chihuahua, Mexico, Jan. 21.—"It will be soon shown that the United States has not waited in vain in the belief that the Huerta government is slowly crumbling," said General Francisco Villa today.

"With the northern division of the Huerta army imprisoned in the United States and with General Jose Refugio Velasco's troops trembling at Torreón, the only point they now hold in the north, it will not be long before the usurper Huerta will be swept away by public opinion."

Popular Opinion Aids Rebels. At first it was only our arms that brought us victories, but now the people of Mexico are convinced of the seriousness of the revolution. We are finding that popular approval is as effective as bullets.

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## Condensed Telegrams

Congress Ought to adjourn by June 1, in the opinion of Representative Underwood.

John M. Walden of Cincinnati, bishop in the Methodist Episcopal church, is critically ill.

Judge Sanders ruled in Cleveland that an egg is not an egg when an embryo chicken is inside.

Steps Toward the Ultimate union of Baptist and Free Baptist denominations in Maine were taken yesterday.

Mrs. Loretta Harris was fined \$3 in New York because the feathers of her hat tickled Dr. Maxwell Branner.

There Were Eighty-Seven Sailing, steam and unrigged vessels built in the United States during December, 1913.

A Campaign Against the sale and use of cocaine and heroin has been instituted by Mrs. William K. Vanderbilt.

Edwin Ginn, publisher of school and college text books died at his home in Winchester, Mass., yesterday.

Moving Pictures will be used in the campaign for educating prospective women voters for the spring elections at Chicago.

A Petition in involuntary bankruptcy has been filed against The Pensacola News, the oldest newspaper in Western Florida.

The Cleveland Telephone Company yesterday announced an increase in rates of ten per cent to one thousand telephone operators.

Important Finds of Indian earth-works of which there had been no record have been made in Northern Wisconsin.

Students at the University of Chicago were working their way through school last year earned a total of \$109,654, or a total of \$85 each.

The Resignation of Laurence Minot from the directorate of the New York, New Haven & Hartford Railroad company was announced yesterday.

Eva Booth, Salvation Army "commander" collapsed while addressing a large meeting at Jamaica, N. Y., yesterday. She has been suffering from bronchitis.

Smith, Gray and Company of New York, dealers in new clothing, with branches in other cities, were thrown into bankruptcy by creditors yesterday.

Federal Judge Willard filed a decision at Sioux City, Iowa, yesterday holding valid the 2-1-2 cent rate of railroad passenger fares in South Dakota.

Dr. William H. Ullsh of Selling Grove, Pa., a retired assistant surgeon of the United States navy, was killed yesterday in an automobile accident on the Maryland coast.

Emmett Taxter, a Tarrytown, N. Y., fireman was getting shaved when the hair of his head caught in the gears of a machine, sending him to the hospital.

"Mrs. Belle Squire, of Chicago, exponent of the 'no vote no tax' doctrine will be sued by the county tax officials unless she pays a personal property tax of \$25.00."

Captain Jared Griffing, aged 89, and believed to have been the last of the old New Haven sailing masters, died at his home in New Haven after a brief illness.

Government Regulation of all forms of insurance companies was proposed in a joint resolution for an amendment to the constitution, introduced yesterday by Senator Weeks.

A Bridgeport Joker advertised for a good looking young colored man (best looking) to be used in a play. He was from his wife's grave. Steady work if the snow is steady.

Albert Anderson, aged 23, of New Milford, a telephone lineman, was killed at Winsted yesterday when a pole on which he was working gave way and carried him with it to the ground.

Martin Korff, of Rolle, Me., former back catter at a Portland, Me., pleasure resort, was sentenced to the state penitentiary for 12 years in the state penitentiary.

Walter W. Eaton of Springfield and J. K. M. Harrison of Boston were appointed receivers by the Federal court yesterday for the H. & J. Brewing company of Springfield, dealers in drug supplies.

The Establishment of juvenile sessions in all district courts of Rhode Island is the purpose of a bill introduced in the legislature yesterday by Senator R. Livingston Beekman, a republican leader.

Six Thousand Shake Caps and as many cartridge belts said to have been intended for the uniforming of the Mexican constitutional armies have been seized at Douglas, Ariz., by United States officials.

Frank E. Vogel, once a millionaire meat packer, has nothing but a few thousand dollars to show today for investments of \$1,400,000 made in the enterprises of Henry Siegel, with whom he was co-partner in dry goods ventures.

John Schrank ceased to be a property holder in New York when the Forty-fourth street was sold at foreclosure. It was Schrank who sold the property to Theodore Roosevelt in October, 1912, in Milwaukee.

Alexander McGregor, an elderly Peabody, Mass., man, was rolled through wet snow in front of a locomotive for a distance of 150 feet yesterday and when assistance reached him in the center of a snowball six feet in diameter. He will probably die.

Jefferson Davis' two dueling pistols, a double barreled pistol and a single barreled pistol, were sold at the close of the Civil war, and which have been in the custody of the war department nearly 55 years, was turned over to Joseph A. Hayes, of Colorado, whose wife is the eldest daughter of the former president of the Confederacy.

Submarine "A7" Located. Plymouth, Jan. 21.—The British submarine "A7," which disappeared on Friday last during maneuvers in Plymouth sound, was located today on the bottom at a depth of 25 fathoms (125 feet).

## Japanese Note Not Answered

THIRD PROTEST FAILED TO ELICIT A REPLY.

### WEBB BILL DISCUSSED

Foreign Minister Addresses Japanese Parliament and Announces American Replies Unsatisfactory.

Washington, Jan. 21.—An address by Baron Nobuyuki Makino, the Japanese foreign minister to the parliament of Japan today, outlining the status of negotiations over the California alien land legislation and declaring that the Japanese government "had come to see the necessity of considering some other ways for solution of the question," because the replies of the United States had not been found satisfactory, was cabled in full from Tokio to the Japanese embassy here.

The address which was not commented upon in official circles, announced that the third note of protest, presented to Secretary Bryan by Ambassador Chinda on August 15, remained unanswered. It also revealed the fact that the ambassador, under instructions from Tokio, said President Wilson on March 3, the day after the president's inauguration, and asked that he make an effort to stop the threatened legislation in California which has since been enacted.

Foreign Minister's Address. The full text of the address as made public by the embassy tonight follows:

"In the state legislature of California the bills of anti-Japanese character have been regularly introduced at its sessions for more than ten years past. Thanks to the good offices earnestly exercised by the United States government and thanks also to proper government opportunities taken by the government of Japan, the situation has been of a serious moment, but, fortunately, occur, but at the fourth session of the legislature the assembly last year passed a bill known as the Webb bill, at prohibition of ownership of real property by Japanese was passed by the legislature by a majority of 13 to 1, signed by the governor on the 13th day of May, and became operative on the 19th of August."